



State of Rhode Island and Providence Plantations

State House
Providence, Rhode Island 02903-1196
401-222-2080

STATE OF RHODE ISLAND
PROVIDENCE PLANTATIONS
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Donald L. Carcieri
Governor

EXECUTIVE ORDER

February 21, 2007

07-02

**PROCLAMATION OF PROPANE
GAS TRANSPORTATION EMERGENCY**

WHEREAS, pursuant to R.I. Gen. Laws § 43-3-28, the Governor is authorized to determine the existence of an emergency brought about by the disruption and/or interruption of transportation service and further to determine that rights and obligations are adversely affected thereby; and

WHEREAS, Rhode Island has recently experienced interruptions in the supply and delivery of propane gas occasioned by a prolonged period of cold and extreme weather, a consequent increase in the demand for propane gas and various transportation disruptions in the northeastern United States, resulting in part from a Canadian rail strike and problems with maritime deliveries of gas; and

WHEREAS, federal law ordinarily imposes certain limitations upon the number of consecutive hours commercial truck drivers can operate; and

WHEREAS, federal law also permits exemptions from these limitations in the event of an emergency proclamation by the Governor; and

NOW, THEREFORE, I, DONALD L. CARCIERI, by the virtue of the power vested in me as Governor of the State of Rhode Island and Providence Plantations and pursuant to 49 C.F.R. 390.23, do hereby order as follows:

1. A proclamation of emergency is hereby ordered.
2. As a result of this proclamation, commercial carriers of propane gas are afforded relief from the provisions of 49 CFR 395.3(b) of the Federal

Motor Carrier Safety Regulations for interstate motor carriers while providing propane gas fuels to customers in Rhode Island during the pendency of this proclamation of emergency.

3. Nothing contained in this declaration shall be construed as an exemption from the Controlled Substances and Alcohol Use and Testing requirements (49 CFR 382), the Commercial Drivers License requirements (49 CFR 383), the Financial Responsibility requirements (49 CFR 387), applicable Size and Weight requirements, or any other portion of the regulation not specifically identified.
4. This proclamation shall not apply to motor carriers that have an Out of Service Order in effect.
5. Upon termination of this emergency proclamation, federal regulation shall again become effective.
6. All persons operating under this proclamation should maintain a copy of it in their possession.

This Executive Order shall take effect immediately and shall remain in effect for the duration of this emergency or until this Order is terminated, but in no event later than fifteen (15) days from the date of this Order.

So Ordered:



Donald L. Carcieri

Dated: 2/21/07